

1 STEPHEN P. ELLINGSON (SBN 136505)
sellingson@hayesdavis.com
2 JAMIE A. RADACK (SBN 221000)
jradack@hayesdavis.com
3 HAYES DAVIS BONINO ELLINGSON McLAY & SCOTT, LLP
203 Redwood Shores Parkway, Suite 480
4 Redwood Shores, CA 94065
Telephone: 650.637.9100
5 Facsimile: 650.637.8071

6 Attorneys for Defendants
CLUCK UNIVERSITY CHICKEN OF PALO ALTO, LP, d/b/a
7 UNIVERSITY CHICKEN SANTA CLARA, LP; UC RESTAURANT
MANAGEMENT, INC.; UNIVERSITY CHICKEN, INC.; UNIVERSITY
8 CHICKEN FRESNO, LP; UNIVERSITY CHICKEN SAN JOSE, LLC; and
9 MICHAEL C. BORNEO

10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 CLUCK-U, CORP.,
14 a Maryland corporation,

15 Plaintiff,

16 v.

17 CLUCK UNIVERSITY CHICKEN OF PALO
ALTO, LP, d/b/a UNIVERSITY CHICKEN
18 SANTA CLARA, a California limited
partnership; CLUCK UNIVERSITY CHICKEN
19 OF SAN JOSE, LP, a California limited
partnership; UC RESTAURANT
20 MANAGEMENT, INC., a California
corporation; UNIVERSITY CHICKEN, INC., a
21 California corporation; UNIVERSITY
CHICKEN FRESNO, LP, a California limited
22 partnership; UNIVERSITY CHICKEN SAN
JOSE, LLC, a California limited liability
23 company; Michael C. Borneo, an individual; and
DOES 1-50, inclusive,

24 Defendants.
25

CASE NO. C07-04986 CW

STIPULATION OF DISMISSAL;
PROPOSED ORDER
[Fed. Rule Civ. Proc., Rule 41(a)(1)]

26
27 IT IS HEREBY STIPULATED by Plaintiff Cluck-U Corporation through their attorney of
28 record, Christopher J. Passarelli, Esq. of LaRiviere, Grubman & Payne, LLP and Defendants

1 Michael C. Borneo, Cluck University Chicken of Palo Alto, LP, dba University Chicken Santa
2 Clara; Cluck University Chicken of San Jose, LP; UC Restaurant Management, Inc.; University
3 Chicken, Inc.; University Chicken Fresno, LP; and University Chicken San Jose, LLC through their
4 attorney of record Stephen P. Ellingson of Hayes Davis Bonino Ellingson McLay & Scott, LLP, that
5 the above-captioned action be, and hereby is, DISMISSED WITH PREJUDICE pursuant to Federal
6 Rules of Civil Procedure, rule 41(a)(1).

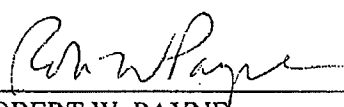
7 Dated: 9/5, 2008

HAYES DAVIS BONINO ELLINGSON
McLAY & SCOTT, LLP

8
9
10 STEPHEN P. ELLINGSON
11 JAMIE A. RADACK
12 Attorneys for Defendants
13 CLUCK UNIVERSITY CHICKEN OF PALO ALTO,
14 LP, d/b/a UNIVERSITY CHICKEN SANTA CLARA,
15 LP; UC RESTAURANT MANAGEMENT, INC.;
UNIVERSITY CHICKEN, INC.; UNIVERSITY
CHICKEN FRESNO, LP; UNIVERSITY CHICKEN
SAN JOSE, LLC; and MICHAEL C. BORNEO

16 Dated: 9/10/, 2008

LARIVIERE, GRUBMAN & PAYNE, LLP

17
18 
19 ROBERT W. PAYNE
20 ALAN E. ENGLE
21 NICOLE A. SMITH
22 CHRISTOPHER J. PASSARELLI
Attorney for Plaintiff
CLUCK-U CORP.

23 **ORDER**

24 IT IS SO ORDERED.

25
26 Dated: _____, 2008

27 HONORABLE SAMUEL CONTI
28 UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA